

Commentary

The Trial and Tribulation of Egerton Yorrick Davis

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Every segment of society has and needs heroes, and Sir William Osler is without question the internist's hero. Through hard work and self-discipline, he instituted a scientific basis for clinical medicine and became the role model for clinical scientists. At the same time, part of him was an "imp of the perverse."^{1(p49)} "An erratic spirit made him a perennial practical joker, provided a vehicle for his unquenchable ribaldry, and supplied many a nagging, and not completely answered, question in our efforts to evaluate the whole man."^{1(p49)} In his later years, this side of Osler was expressed through his alter ego, Egerton Yorrick Davis.^{2,3}

The "imp" was also present throughout his childhood and adolescence.⁴ In 1864, at age 15, he was expelled from the Dundas (Ontario, Canada) Grammar School for a series of pranks, including locking a gaggle of geese in the rival public school overnight and removing all the desks and chairs from this school and putting them in the attic. The ultimate episode involved disparaging remarks about the public school's headmaster, which were repeated in the Dundas newspaper as a charge against his father, the Reverend Featherstone Osler. These escapades continued after he entered the Barrie (Ontario) Grammar School, where he quickly became the leader of "Barrie's bad boys"—three boarders who feuded with the day boys. Their pranks included covering a smoking chimney on the schoolhouse roof with a board and gleefully watching the arrival of the Barrie Hook and Ladder Company.⁴

After a year at Barrie, Osler was enrolled in Trinity College School in Weston. This church school was affiliated with Trinity University in Toronto and functioned on the model of an English public school. Osler flourished at Trinity but also became involved in several escapades, for one of which he and nine other students were tried on charges of assault. Although he may well have been the ringleader, the charges against him were dropped (*Toronto Globe*, April 9 and April 11, 1866, Toronto, Ontario [Figure 2]).

Ten Trinity College students were tried for assault and trespass on the widow of a clergyman before the County Magistrate, Mr S. Alcorn, Justice of the Peace, in Toronto on April 9, 1866. The trespass and assault were alleged to have been committed on March 29, 1866, at which time William Osler was almost 17 and a school leader, becoming head prefect the next year. In fact, three of the four prefects for the next school year, Osler, Jones, and Wilson, were among the defendants (Figure 1). One of Osler's brothers was the defense lawyer. Cushing states that it was Featherstone

Osler, who later became one of Ontario's most respected judges.^{5(pp29-31)} The *Toronto Globe* reported that Mr J. B. Osler appeared for the defense. It may actually have been another brother, Britton Bath Osler, who has been called the greatest criminal lawyer in Canadian history.

Mr Badgley, the headmaster of Trinity College School and also a clergyman, hired the widow, Mrs Denham, and her daughter to serve as housekeepers, and they occupied eight rooms on the second and third floors of the school. The

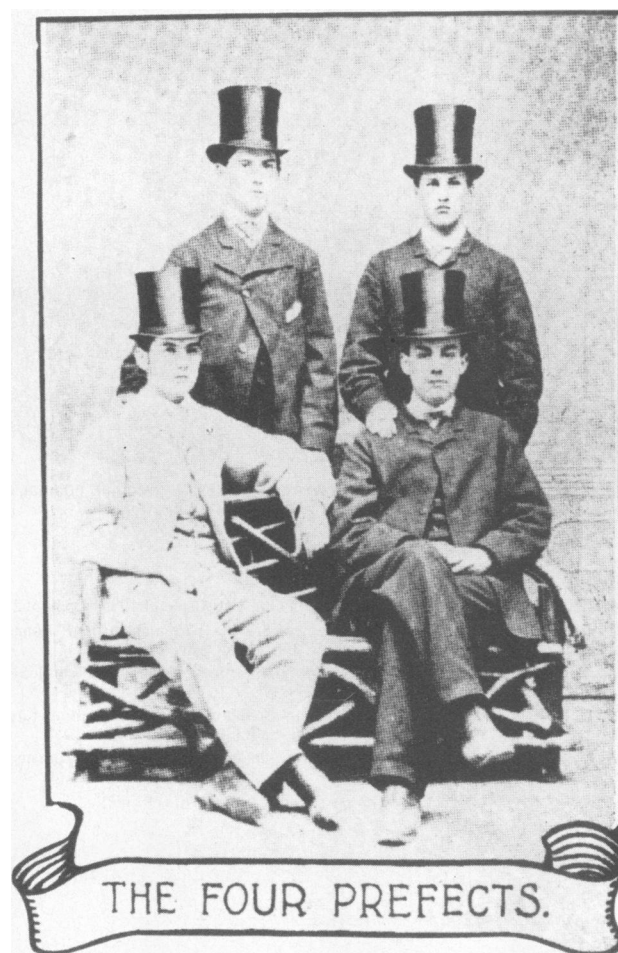


Figure 1.—Pictured are the four prefects at Trinity College School for the school year following the trial; Osler, Wilson, and Jones had been defendants. Standing, left to right: R.J. Wilson and William Osler; sitting, L.K. Jones and F.J. Helliwell (from the Trinity College School Record, *Jubilee* 1915; 17:63).

(Burrow GN: The trial and tribulation of Egerton Yorrick Davis. *West J Med* 1991 Jul; 155:80-82)

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Toronto Globe
April 9, 1866

School Row at Weston

Pupils Turn Outlaws—They Fumigate The Matron
With Sulphur—Examination Yesterday

As announced yesterday, the case of assault committed on a Mrs Denham, by a number of youths at the Trinity College Grammar School, came off yesterday in the County Council Chamber, in the Court House, before Mr S. Alcorn, with Messrs Robert James Jr, Dr Berryman, and T.J. Preston as associates. The following boys were brought up: Robert Wilson, A. McCuaig, John Price, John Gray, Wm. and Jas. Johnston, Wm. Osler, John Fraser, and Forbes Whitney. Two others, named L.K. Jones and Arthur Holland, are in bed, ill, and did not consequently attend.

The information included the names of all the parties, but they were tried separately, Robert Wilson being brought up first.

Mr Moore appeared for the prosecution, and Mr J.B. Osler for the defence. A large number of spectators were present, who watched with interest the recital of the case.

[Transcript material deleted.]

Mrs H. DENHAM sworn: I reside at Weston; occupy the part above the school room. Mr Johnston put me in possession of the premises. I was to pay 25 pounds per annum. Witness then detailed the assault. Wilson was not one of them on the first assault on the 29th, between 8 and 9 a.m. Prisoner was there in the after part of the day and tied the door. Wilson was there on the 2nd attack. A rope was attached to my door, and witness held it about three feet from the door. This prevented my getting out. I think that the rope was fastened to the banister, cannot say positively. Wilson was pulling at the rope. I was struck with a snowball. Saw Wilson and the other boys throw snowballs into my room. One or two of the boys held the door open while the rest fired the balls in, enough almost to extinguish the fire. They forced the cover off the stove-pipe hole and flung wood in through it. I went to the door to assist in getting it open.

To the MAGISTRY: Wilson called the "old fool" and "old gray." I tried to reason with him.

To Mr OSLER: I threw something down the stairs after the boys.
[Transcript material deleted.]

Wm. OSLER sworn—saw him on that day. He shook his fist in my face and said in a threatening manner "Now, old woman, tell me how much do you pay?" (Laughter) He was one of these who tied the door; he was amongst the rest. He said he wanted a leg of the "mortgaged piano." (Laughter) He was one of those present when the wood was thrown. I did not see him throw snow balls. He admitted that he had held the door. There were about a dozen sticks thrown up into the room.

Miss DENHAM testified: Saw this defendant on the stairs; he threw snowballs into my mother's apartments. He was present at the opening of my mother's door. He was ordered away. He threw several snow balls at my mother. He used insulting language. He asked for Mr Badgley's beer tap that had been stolen. (Laughter) Saw him in the rooms.

To Mr OSLER: All the boys were aiding in tying the room.

The case against this boy was dismissed.

Toronto Globe
April 11, 1866

The School Scrape at Weston

Evidence for the Defence—A Few of the "Youths"
Examined—They Are Reprimanded and Fined

[Transcript material deleted]

W. OSLER, a lad of 16, sworn: Said that Wilson had something to do with the tying of the door. Wilson, Jones, Price, Gray, Holland, Forbes, Whitney, McCuaig, and Perry, were present when the door was tied. John Frazer was not there; some of them were not interfering; I went to the school at a quarter to 9 o'clock. I don't remember any keys there. The rope tying took place at a quarter past 3. School was out at 12 o'clock. I was at the place at a quarter to 2 o'clock. All the boys were there except Holland and myself. I saw no sticks thrown up the stove-pipe, I saw no snowballs thrown either at Mrs Denham or at the door. I believe the boys used to go where they liked. The tying took place at a quarter past three. A slip knot was made in the rope and one of the boys put it over the knob of the door; there were screams in the room and someone fell back after the rope was cut. The rope was tied about one minute or so but it was held about 5 minutes. I did not hear Mrs Denham ask to have the door open. I felt some person trying to get out.

To Mr MOORE: I could not say how many boys were at the tying of the rope. I could not say there were more than five boys engaged at the tying of the door. I could smell smoke of sulphur. I did not recognize the smoke of sulphur on the stairs. The object of making smoke was that Mrs Denham might not go down to the kitchen without smelling it. The stove-pipe goes into the wall. The boys engaged in making the fumigation were most of the boys charged. I saw no boys break the clock. I saw a boy going up the clock. I told him to leave the clock alone. I saw no boy going to the preserve dishes. I don't know there were any preserve dishes there. The wood was cut at the parsonage in two lengths. I saw no wood at Mrs Denham's. I could not say whether the wood was cut once or twice. Mrs Denham had some of her cord wood removed into the kitchen.

[Transcript material deleted.]

This closed the evidence.

Mr MICHAEL then addressed the court for the defense and Mr Moore for the prosecution.

The Magistrate then retired to consider the evidence.

Having returned, Robert Wilson, Augustus McCuaig, John Gray, Wm. Osler, Peter Kemp, L.K. Jones, Wm. Johnston, and Forbes Whitney then stood up.

Mr ALCORN said that there were 12 defendants in this sad disreputable scrape, 2 are sick and 1 discharged. He was very sorry to see such conduct as had been recited, and if they did play it should be kept within legitimate bounds. It was not respectable to their parents to be found guilty of such tricks as had been played on an old woman. Mr Alcorn then strongly reprimanded them and stated that each of the defendants would have to pay a fine of \$1 and costs.

The court then adjourned.

Figure 2.—Two accounts of Osler's "school scrape" at Weston are given.

mother and daughter were unpopular with the students. After the episode, the widow preferred charges of trespass and assault but, according to Cushing, was unable to get a warrant issued locally in Weston and finally secured one in Toronto.⁵ Twelve students were named in the suit and were tried separately rather than as a group. Two of the boys were ill and not brought to trial. The case excited a great deal of interest, with crowded courtrooms and front page coverage in the two Toronto newspapers, the *Toronto Globe* and the *Daily Leader*.

Reconstructing the precipitating event is difficult because of conflicting accounts within and between the two newspapers, as well as the accounts of Cushing and the *Trinity College Record*. In Cushing's version in which he is repeating the story that came to him "from the little girl to whom stories of his boyhood used to be told by Sir William before the library fire in Oxford," the assault was revenge for the

specific offense of Mrs Denham's having upset a pail of slops on the stairs, which soused one of the boys.^{5(p30)} Cushing was aware of the *Toronto Globe* article. In the *Daily Leader* newspaper account, however, Mrs Denham said she threw the slops down the stairs on the boys in response to the assault (*Daily Leader*, April 10 and April 11, 1866). The headmaster, Mr Badgley, said the boys had told him that "Mrs Denham had distributed the contents of an article of bedroom furniture on their heads," but McCuaig's testimony indicates that this occurred after the trouble had started.

After hearing all the evidence, the magistrate, Mr Alcorn, found nine of the ten boys guilty and fined them \$1 and costs. They were also bound over to keep the peace, especially to the Denhams. Mr Alcorn stated that he and his associate magistrates felt inclined to inflict a heavy fine but did not because the parents would suffer.

The case against William Osler was dismissed. No cause

for the dismissal of charges against Osler was given. His testimony implicated him as guilty as the other nine who were fined. In fact, Cushing states, "At Osler's *instigation*, they barricaded 'the old girl' in her sitting room."^{5(p30)} Certainly, the escapade was entirely in character with the personality of Egerton Y. Davis and consistent with his past behavior. Osler's brother, in his role as defense attorney, may well have been responsible for the criminal record of Sir William Osler remaining unbesmirched.

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OUT IN THE TRENCHES

Physicians travailing in ivory towers
(Or medical meccas of mythical powers)
Find miracle cures as they sit at their benches,
In contrast to doctors prevailing in trenches.

When going gets tough in the ivory tower,
The tough call the intern at whatever hour.
But elsewhere there's no one to "just take a peek,"
And rowing gets rough when her hell springs a leak.

She places an order for second opinions;
They come back anemic, examined by minions.
And each brief alliance is summed by a clause:
"Unusual disorder of ill-defined cause

"Which bears good prognosis if patient avoids
Continued reliance on too much steroids."
So swiftly the ball is passed back to the trenches
From erudite coaches on masonite benches.

The team reassembles, but always in doubt.
She tapers the "monster"; the plug's not pulled out.
For out in the trenches, but not in defiance,
Most practical docs crystal ball-gaze with science.

But why does the other grass always seem greener?
Would time on the bench change her restless demeanor?
Complexity means that their patients are sicker;
Procedures and tests amass; charts volumes thicker.

Her patients are flour and salt of the earth,
Their workups are easy—like textbook childbirth.
Years pass in the trenches; they turn into friends.
Too quickly the tower relationship ends.

Up there, in most cases, the docs haven't yet
Mistrusted their science and gotten all wet,
While she is the lonely doc with muddy shoes.
She's trod in both places and therefore can choose.

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